GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Sri J.V.S.Prabhakar, the then Municipal Assistant Engineer, Samalkot Municipality – Disciplinary Proceedings instituted under Rule-20 of A.P.C.S (CC&A) Rules, 1991 – Inquiry conducted – Punishment imposed – Withdrawn the punishment - Regularization of the suspension period from 22.07.2000 to 11.12.2001 as "On Duty" under FR.54(B) - Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.723 **Dated: 30.10.2023.**

Read the following:

1. G.O.Rt.No.1455, MA & UD (L1) Dept., Dt.07.12.2002.
2. G.O.Rt.No.660, MA&UD (L1) Department, dated.17.11.2009.
3. Orders of A.P.A.T. in O.A.No.5108 of 2010, dated.31.08.2012 filed by Sri J.V.S.Prabhakar, the then Municipal Assistant Engineer, Samalkot Municipality.
4. Representation from Sri J.V.S.Prabhakar, Deputy Executive Engineer (retired), dated.11.01.2021.
5. W.P.No.840 of 2022 filed by Sri J.V.S.Prabhakar, Deputy Executive Engineer (retired), Pithapuram Municipality.
6. G.O.Rt.No.621, MA & UD (Vig.I) Dept., Dt.25.08.2022.
7. From the RDMA, Lr.Roc.No.1399/2022/A3, comprehensive report Dt.06.10.2022 received through the CDMA, RoC.No. 4390/2000/C1/C2, Dt.28.10.2022 & Dt: 25.04.2023.
8. G.O.Rt.No.392, MA & UD (Vig.I) Dept., Dt.15.06.2023.
9. From the E-in-C, PH, A.P. Guntur, Lr.No.660/CS6/2181/2021, Dt.27.09.2023

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ORDER:

Whereas, in the reference 1st read above, disciplinary proceedings were initiated by issuing articles of charges against Sri J.V.S.Prabhakar, the then Municipal Assistant Engineer, Samalkot Municipality on certain irregularities noticed in execution of ILCS Scheme (Stage–IIA) in Samalkot Municipality during the period 1998-99. Subsequently, after following due procedure, Government issued orders, imposing a punishment of stoppage of two (2) Annual Grade Increments with cumulative effect, besides recovery of loss of Rs.16,00,578/- against Sri J.V.S.Prabhakar, the then Municipal Assistant Engineer, Samalkot Municipality vide reference 2nd read above.

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2. Aggrieved by the said punishment orders issued by the Government, the Delinquent officer Sri J.V.S.Prabhakar, the then Municipal Assistant Engineer, Samalkot Municipality, filed O.A.No.5108 of 2010 in APAT. In the reference 3rd read above, the Hon'ble APAT, Hyderabad in its Orders, dated.31.08.2012 in O.A.No.5108 of 2010 ordered that,

> *"The O.A., is allowed by setting aside the G.O.Ms.No.660, MA&UD (L1) Department, dated.17.11.2009 and directed the respondents to proceed with the enquiry, as per Rule-20 of APCS (CC&A) Rules, 1991. The respondents are also directed to take note of Circular dated.28.04.1999, issued by the MA Dept., and pass appropriate orders according to the Rules".*

3. In the reference 4th read above, Sri J.V.S.Prabhakar, the then M.A.E. (Retired), Samalkot, in his representation, among others, has requested to exonerate him from all charges, duly dropping further action and regularize the suspension period as duty period from 22.07.2000 to 11.12.2001, since the Hon'ble Tribunal set aside the punishment orders issued in G.O.Ms.No.660, MA&UD (L1) Department, dated 17.11.2009 vide their orders, Dt.31.08.2012 in O.A.No.5108/2010.

4. In the reference 5th read above, Sri J.V.S.Prabhakar, the then M.A.E., has filed W.P.No.840/2022 in the Hon'ble High Court seeking direction to sanction/pay the pension and other retirement benefits with ad-measurable interest and also other attendant benefits.

5. After detailed examination of the matter; keeping in view the orders of APAT., dated.31.08.2012 in O.A.No.5108/2010, and after following due procedure, the Government in the reference 6th read above, issued orders withdrawing the punishment of two (2) annual grade increments with cumulative effect against Sri J.V.S.Prabhakar, the then Municipal Assistant Engineer (now retired), Samalkot Municipality, issued in G.O.Rt.No.660, MA&UD (L1) Department, dated.17.11.2009, with a condition that the actual loss will be

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recovered from him, if any, by taking into the consideration of Circular dated.28.04.1999, and further order / instructions issued by the M.A. Department.

6. Subsequently, based on the comprehensive report received from RDMA, Rajamahendravaram, vide reference 7th read above, the Government in the reference 8th read above issued orders, withdrawing the remaining portion of punishment i.e., recovery of loss of Rs.16,00,578/- imposed in the reference 2nd read above against Sri J.V.S.Prabhakar, the then MAE, (Retd) Samalkot Municipality, for all purposes.

7. In the reference 9th read above, the Engineer-In-Chief (PH), A.P., Tadepalli while enclosing the representation of Sri J.V.S.Prabhakar, the then MAE, (Retd) Samalkot Municipality, has requested the Government to take necessary action to regularize the suspension period from 22.07.2000 to 11.12.2001(16 months 21 days) of Sri J.V.S.Prabhakar, the then A.E., Samalkot Municipality.

8. Government have examined the matter in detail; and decided to regularize the suspension period of Sri J.V.S.Prabhakar, the then A.E., Samalkot from 22.07.2000 to 11.12.2001(16 months 21 days) as "on duty" under FR 54 (B), so as to avoid further legal complications in the matter.

9. Accordingly, Government hereby order to regularize the suspension period of Sri J.V.S.Prabhakar, the then A.E., Samalkot Municipality from 22.07.2000 to 11.12.2001(16 months 21 days) as "on duty" under FR 54 (B).

10. The Engineer-In-Chief (PH), A.P., Tadepalli, Guntur, shall take further necessary action, in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri J.V.S.Prabhakar, the then Municipal Assistant Engineer (now retired),
Samalkot Municipality – **through** the E-in-C, P.H., A.P., Guntur.
The Engineer-in-Chief, (PH), A.P. Tadepalli, Guntur

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Copy to:
The Municipal Commissioner, Samalkot Municipality.
The RDMA, Rajamahendravaram.
The Pay and Accounts Officer, A.P., Mangalagiri.
The Director of treasuries and Accounts, A.P., Mangalagiri.
The Principal Accountant General (A&E), A.P., Vijayawada.
SF / SC.

// FORWARDED BY ORDER //

SECTION OFFICER.